

REMARKS

Claims 1-8 are pending in this application. By this Amendment, Applicants amend claims 1-3 and 6 for clarity. No new matter is added. Applicants respectfully request reconsideration of the pending claim s at least in light of the following remarks.

Applicants appreciate the courtesies shown to Applicants' representative by Examiners Burge and Hong in the December 10 personal interview. Applicants incorporate a separate record of the substance of the interview into the following remarks.

The Office Action rejects claims 1, 2, 4, 5, 7, and 8 under 35 U.S.C. §103(a) over U.S. Patent 6,014,663 to Rivette et al. (hereinafter "Rivette") in view of U.S. Patent 6,526,410 to Aoyama et al. (hereinafter "Aoyama"). Applicants respectfully traverse the rejection.

Initially, Applicants note that dependent claims 4, 5, 7, and 8 depend from claims 3 and 6 respectively. Claims 3 and 6 are not included in the present rejection and thus are patentable over Rivette and Aoyama. Accordingly, the rejection of claims 4, 5, 7, and 8 is improper. Applicants respectfully submit that claims 4, 5, 7, and 8 are patentable over Rivette and Aoyama for at least the reasons that claims 3 and 6 are patentable, as well as for the additional features they recite. Accordingly, Applicants respectfully request withdrawal of the rejection of claims 4, 5, 7, and 8.

As discussed in detail during the personal interview, Rivette does not disclose, teach, or suggest a hierarchical relation between elements in the partial structure for each of the decomposed partial structures, as recited in claims 1 and 2. During the personal interview, Applicant's representative relied on the node-first order feature of claims 1 and 2 as implicitly requiring a hierarchical order within the second structural information. However, in the interest of clarity, Applicants amend claims 1 and 2 to explicitly include this feature.

As clarified during the personal interview, the Office Action alleges that Rivette discloses first structural information by separating a document into sections, for example,

separating a patent application into a specification section and a claims section (col. 6, line 38 – col. 7, line 40). The Office Action alleges that Rivette discloses second structural information by creating a list of the terms that appear in each section of the document (col. 7, line 41 – col. 8, line 53). However, as exemplified in at least col. 8, lines 4-20, the list is merely a list of elements and does not include a hierarchical relationship, or any relationship, between the elements. Accordingly, Rivette cannot reasonably be considered to disclose, teach, or suggest a hierarchical relation between elements in the partial structure for each of the decomposed partial structures, as recited in claims 1 and 2.

Furthermore, neither Aoyama, nor any other reference may be combined with Rivette to teach, or suggest a hierarchical relation between elements in the partial structure for each of the decomposed partial structures, as recited in claims 1 and 2. Rivette is only concerned with comparing the elements within two or more document sections to determine if those elements exist in each section (col. 8, line 56 – col. 10, line 51). As discussed during the personal interview, providing a hierarchical structure of the elements within any section would not in anyway benefit or improve the determination that elements exist within two or more document sections. In fact, Applicants respectfully submit that it would complicate such a determination. Thus, there is no desirability in combining Rivette with any reference to include a hierarchical relation between the elements of the partial structures as required by MPEP §2142.

Furthermore, Applicants submit that modifying Rivette to include a hierarchical relation between the elements of the partial structures would change the principle of operation of Rivette in violation of MPEP §2142. The suggested modification of Rivette would “require a substantial reconstruction and redesign” of the system and method Rivette” as well as a change in the basic principle under which Rivette was designed to operate” (MPEP §2142) since Rivette would have to determine, consider and evaluate hierarchical

relationships between the elements (substantial reconstruction and redesign) rather than merely compare the elements to see if they match (basic principle).

Because Rivette does not disclose, teach, or suggest a hierarchical relation between elements in the partial structure for each of the decomposed partial structures, and there is no teaching or suggestion to modify Rivette to do so, claims 1 and 2 are patentable over the asserted combination of Rivette and Aoyama. Applicants respectfully request withdrawal of the rejection of claims 1 and 2.

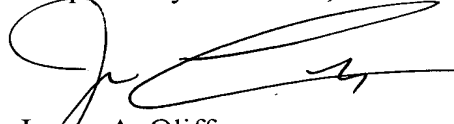
The Office Action rejects claims 3 and 6 under 35 U.S.C. §103(a) over Rivette in view of U.S. Patent 6,263,322 to Nasr et al. (hereinafter "Nasr"). Applicants respectfully traverse the rejection.

As discussed above, Rivette does not disclose, teach, or suggest a hierarchical relation between elements in the partial structure for each of the decomposed partial structures, as recited in claims 3 and 6. Furthermore, as discussed above, neither Nasr, nor any other reference may be combined with Rivette to teach, or suggest a hierarchical relation between elements in the partial structure for each of the decomposed partial structures, as recited in claims 3 and 6. Accordingly, claims 3 and 6 are patentable over the asserted combination of Rivette and Nasr. Applicants respectfully request withdrawal of the rejection.

In view of at least the foregoing, Applicants respectfully submit that this application is in condition for allowance. Applicants earnestly solicit favorable reconsideration and prompt allowance of claims 1-8.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, Applicants invite the Examiner to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



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